

NO. 4:05-CR-50-H

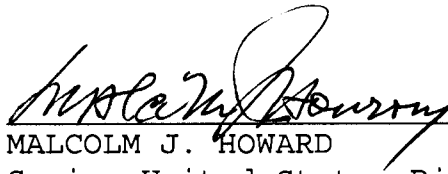
## ORDER

Courts have generally recognized three grounds for altering or amending judgments. See Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993). Specifically, courts will alter or amend "an earlier judgment: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not

available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Id.

The court has carefully reviewed petitioner's motion for reconsideration, as well as the record in this matter, and finds no reason to alter or amend its judgment. See Whiteside v. United States, 775 F.3d 180 (4th Cir. Dec. 19 2014) (en banc), overruling Whiteside v. United States, 748 F.3d 541 (4th Cir. Apr. 8 2014). Therefore, petitioner's motion to supplement [DE #53] is GRANTED, and his second motion to reconsider [DE #52] is DENIED.

This 23<sup>rd</sup> day of March 2015.

  
MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
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